

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

CHARLOTTE CONWAY, on behalf of I.C., : CIVIL ACTION
Plaintiff, :
 :
v. : NO. 10-2550
 :
MICHAEL J. ASTRUE, :
Commissioner of Social Security, :
Defendant :

ORDER

AND NOW, this 31st day of August, 2011, upon consideration of the plaintiff's motion for summary judgment and request for review (Document #10), the Commissioner's response thereto, the record herein including the plaintiff's Objections and the Commissioner's response, and after careful review of the thorough Report and Recommendation of United States Magistrate Judge M. Faith Angell, it is hereby **ORDERED** that:

1. The plaintiff's Objections are **OVERRULED**.¹
2. The Report and Recommendation is **APPROVED AND ADOPTED**.
3. The plaintiff's motion and request for review is **DENIED**.
4. Judgment is entered in favor of the defendant against the plaintiff, affirming the Commissioner's decision.

The Clerk of Court is directed to mark this case CLOSED.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.

¹ In his response to the plaintiff's Objections, the Commissioner properly points out that the ALJ relied solely upon the transcript of the record to support the decision that I.C. did not functionally equal a listed impairment. The Magistrate Judge examined the ALJ's decision and the record as a whole, tracked the ALJ's decision throughout the Report and Recommendation, was able to conduct meaningful judicial review by following the basis for the ALJ's determination that I.C. did not functionally equal a listed impairment, and appropriately found that the ALJ's decision was supported by substantial evidence. Accordingly, I will overrule the plaintiff's Objections, and approve and adopt the Report and Recommendation.